

**Commonwealth of Kentucky
Natural Resources and Environmental Protection Cabinet
Department for Environmental Protection
Division for Air Quality
803 Schenkel Lane
Frankfort, Kentucky 40601
(502) 573-3382**

AIR QUALITY PERMIT

Permittee Name: Celotex Corporation
Mailing Address: 4010 Boy Scout Boulevard, Tampa, Florida 33607

Source Name: Celotex Corporation
Mailing Address: Same as above

Source Location: U.S. 42 near the intersection of Four Mile Creek

Permit Type: Federally-Enforceable
Review Type: NSR, Title V

Permit Number: V-99-016
Log Number: G003
Application Complete Date: April 8, 1999

KYEIS ID #: 079-0580-0040
AFS Plant ID #: 21-041-00040
SIC Code: 3275

Region: Cincinnati
County: Carroll

Issuance Date: September 3, 1999
Expiration Date: September 3, 2004

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SECTION A - PERMIT AUTHORIZATION

Pursuant to a duly submitted application which was determined to be complete on April 8, 1999, the Kentucky Division for Air Quality hereby authorizes the construction and operation of the equipment described herein in accordance with the terms and conditions of this permit. This permit has been issued under the provisions of Kentucky Revised Statutes Chapter 224 and regulations promulgated pursuant thereto.

The permittee shall not construct, reconstruct, or modify any affected facilities without first having submitted a complete application and receiving a permit for the planned activity from the permitting authority, except as provided in this permit or in the Regulation 401 KAR 50:035, Permits.

Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by this Cabinet or any other federal, state, or local agency.

SECTION B -EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

Material Handling

KYEIS #	Emission Unit #	Description	Control Equipment
	EP H	FB Stucco Cooler	Baghouse
	EP I	Vermiculite Bin	Bin Vent
	EP J	Clay Bin	Bin Vent
	EP K	Starch Silo	Bin Vent

APPLICABLE REGULATIONS:

401 KAR 59:010 New process operations commenced on or after July 2, 1975 applies to the particulate matter (PM/PM₁₀) emissions and visible emissions of the above affected facilities.

40 CFR Subpart 000 as adopted by 401 KAR 59:310 New nonmetallic mineral processing plants commenced on or after August 31, 1983 applies to the particulate matter (PM/PM₁₀) and visible emissions from the vermiculite and clay bins.

1. Operating Limitations: None

2. Emission Limitations:

- a. Mass Emission Limit pursuant to 401 KAR 59:010 Section 3(2): Particulate matter emissions from the FB Stucco Cooler and the Starch Silo shall not exceed: $3.59 \times (\text{Tons Processed})^{0.62}$ lbs/hr for (Tons processed) less than 30 tons per hour, otherwise: $17.31 \times (\text{Tons Processed})^{0.16}$ lbs/hr, averaged over a three hour period.
- b. Mass Emission Limit pursuant to 401 KAR 59:310: Emissions of particulate matter (PM₁₀) from the Vermiculite and Clay Bin shall not exceed 0.05 g/dscm (0.02 grains/dscf) averaged over a three hour period.
- c. Opacity Limit pursuant to 401 KAR 59:010, Section 3(1)(a): Visible emissions from the FB Stucco Cooler and the Starch Silo shall not equal or exceed 20% opacity on a 6-minute average basis.
- d. Opacity Limit pursuant to 401 KAR 59:310: Opacities of visible emissions from the Vermiculite and Clay Bin shall not exceed 7 percent on a one hour average basis.

Compliance Demonstration Method:

- a. Continuous monitoring of pressure drops across the Stucco Cooler bag house.
- b. During periods of normal operation of all other fabric filters, no compliance demonstration is necessary.
- c. If any of the emission units associated with a fabric filter are in operation during any period of a malfunction of the fabric filter, the permittee shall determine compliance through maintenance of the records required by Item c. under **5. Specific Recordkeeping Requirements** below.

SECTION B -EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

3. Testing Requirements:

- a. Vermiculite and Clay Bin: pursuant to 401 KAR 59:310, specifically 40 CFR 60.675(b)(2), the owner and/or operator shall use EPA Reference Method 9 and the procedures in 40 CFR 60.11 to determine opacity, upon the (demonstration of compliance) and annually thereafter.
- b. EPA Reference Method 5 or Method 17 shall be performed as a compliance demonstration to determine particulate matter concentration being vented to atmosphere from the FB Stucco Cooler baghouse.

4. Specific Monitoring Requirements:

- a. For the FB Stucco Cooler baghouse, the permittee shall maintain, calibrate and operate according to manufacturers' specification, a monitoring device for the continuous measurement of the differential static pressure across the baghouse.
- b. For all bin vent filters, the permittee shall monitor and record the pressure drop across each of the fabric filter systems on a weekly basis.

5. Specific Recordkeeping Requirements:

The permittee shall maintain records of the following information:

- a. Continuous records of the differential static pressure across the FB Stucco Cooler baghouse (on strip chart recorder, electronic data acquisition system or equivalent).
- b. Record and maintain a weekly log of the pressure drop across all other fabric filters.
- c. During all periods of a malfunction of any of the fabric filters if any of the emission units associated with each station are in operation, a daily (calendar day) log of the following information shall be kept:
 - i. Whether any air emissions were visible.
If visible emissions are observed, the permittee shall record the following information:
 - ii. Whether the visible emissions were normal for the process.
 - iii. The color of the emissions and whether the emissions were light or heavy.
 - iv. The cause of the abnormal visible emissions.
 - v. Any corrective actions taken.
- d. All routine and nonroutine maintenance activities performed on the fabric filters.

6. Specific Reporting Requirements: None

7. Specific Control Equipment Operating Conditions:

The pressure drop on a three-hour average shall be no less than 33% below that recorded during a required performance test for the FB Stucco Cooler baghouse.

SECTION B -EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

Dryers and Calciners

KYEIS	Emission Unit	Description	Control Equipment
	EP A	Waste Gypsum Board Reclaimer	Baghouse
	EP B	FGD Drying System #1	Baghouse
	EP C	FGD Drying System #2	Baghouse
	EP E	Calcining Kettle #1	Baghouse
	EP F	Calcining Kettle #2	Baghouse
	EP N	Board Dryer #1	None
	EP O	Board Dryer #2	None

APPLICABLE REGULATIONS:

Regulation 401 KAR 60:005 (40 CFR Subpart UUU). Standards of performance for calciners and dryers in mineral industries commenced on or after April 23, 1986 applies to the particulate matter (PM/PM₁₀) emissions and visible emissions from the Calcining Kettles.

40 CFR Subpart OOO AS adopted by 401 KAR 59:310 New nonmetallic mineral processing plants commenced on or after August 31, 1983 applies to the particulate matter (PM/PM₁₀) emissions and visible emissions from the Waste Gypsum Board Reclaimer and FGD Drying Systems (Dryers/Crushers).

Regulation 401 KAR 59:010 New process operations commenced on or after July 2, 1975 applies to the particulate matter (PM/PM₁₀) emissions and visible emissions from the Board dryer.

Regulation 401 KAR 50:060 Enforcement applies to the performance testing of the NO_x and CO emissions from the source.

1. Operating Limitations: None

2. Emission Limitations:

- a. Mass Emission Limit pursuant to 401 KAR 59:310: emissions of particulate matter (PM₁₀) from the Waste Gypsum Board Reclaimer and FGD Drying Systems shall not exceed 0.05 g/dscm (0.02 grains/dscf) averaged over a three hour period.
- b. Mass Emission Limit pursuant to 40 CFR Subpart UUU: emissions of particulate matter (PM/PM₁₀) from the Calcining Kettle shall not exceed 0.092 g/dscm (0.040 grains/dscf) averaged over a three hour period.
- c. Mass Emission Limit pursuant to 401 KAR 59:010 Section 3(2): Particulate matter emissions from the Board Dryers shall not exceed: $3.59 \times (\text{Tons Processed})^{0.62}$ lbs/hr for (Tons processed) less than 30 tons per hour, otherwise: $17.31 \times (\text{Tons Processed})^{0.16}$ lbs/hr, averaged over a three hour period.
- d. Opacity Limit pursuant to 401 KAR 59:310 Opacities of visible emissions from the Waste Gypsum Board Reclaimer and FGD Drying Systems shall not exceed 7 percent on a one hour average basis.
- e. Opacity Limit pursuant to 401 KAR 59:010, Section 3(1)(a): visible emissions from the board dryer shall not equal or exceed 20% opacity on a 6-minute average basis.

SECTION B -EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

Compliance Demonstration Method:

- a. During periods of normal operation of the fabric filter, no compliance demonstration is necessary.
- b. If any of the emission units associated with a fabric filter are in operation during any period of the malfunction of the fabric filter, the permittee shall determine compliance through maintenance of the records required by Item c. under **5. Specific Recordkeeping Requirements** below.

3. Testing Requirements:

- a. Pursuant to 401 KAR 59:310, specifically 40 CFR 60.675(b)(2), the owner and/or operator shall use EPA Reference Method 5 and the procedures described in 40 CFR 60.675 to determine to determine particulate matter concentration, upon the (demonstration of compliance) for the Waste Gypsum Board Reclaimer and FGD Drying Systems.
- b. Pursuant to 40 CFR Subpart UUU, specifically 40 CFR 60.736(b), the owner and/or operator shall use EPA Reference Method 5 and the procedures described in 40 CFR 60.736 to determine to determine particulate matter concentration, upon the (demonstration of compliance) for the Gypsum Kettle Calciners.
- c. Pursuant to 401 KAR 59:010 EPA Reference Method 5 shall be used during the demonstration of compliance to determine particulate matter concentration for one of the board dryers.
- d. Pursuant to 401 KAR 59:310, specifically 40 CFR 60.675(b)(2), the owner and/or operator shall use EPA Reference Method 9 and the procedures in 40 CFR 60.11 to determine opacity, upon the (demonstration of compliance) and annually thereafter for the Waste Gypsum Board Reclaimer and FGD Drying Systems
- e. Pursuant to 40 CFR Subpart UUU, specifically 40 CFR 60.736 and 40 CFR 60.12(e)(4), the owner and/or operator shall use EPA Reference Method 9 and the procedures in 40 CFR 60.11 to determine opacity, upon the (demonstration of compliance) and annually thereafter for the Calcining Kettles.
- f. Pursuant to 401 KAR 50:010, the owner and/or operator shall use EPA Reference Method 9 and the procedures in 40 CFR 60.11 to determine opacity, upon the demonstration of compliance of the board dryers.
- g. EPA Reference Method 7 or equivalent shall be used during the demonstration of compliance and six months prior to permit reapplication (See **General Condition G(b)**) to determine NOx emissions from one Board Dryer.
- h. EPA Reference Method 10 or equivalent shall be used during the demonstration of compliance and six months prior to permit reapplication (See **General Condition G(b)**) to determine CO emissions from one Calcining Kettle and one Board Dryer.

4. Specific Monitoring Requirements:

The permittee shall monitor and record the pressure drop across each of the fabric filter systems on a weekly basis.

SECTION B -EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

5. Specific Recordkeeping Requirements:

The permittee shall maintain records of the following information:

- a. Record and maintain a weekly log of the pressure drop across the fabric filter controlling the Waste Gypsum Board Reclaimer and Calcining Kettles,
- b. All routine and non routine maintenance activities performed at each fabric filter.

6. Specific Reporting Requirements: None

7. Specific Control Equipment Operating Conditions: None

SECTION B -EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

() (EP P) Mill Building

KYEIS #	Description	Control Equipment
	(2) Land Plaster Storage Bins	Baghouse
	(2) Kettle Feed Bins	Bin Vent
	Land Plaster Bin (5 Ton)	Bin Vent
	Stucco Bin	Bin Vent
	(2) Kettle Hot Pits	Bin Vent

APPLICABLE REGULATIONS:

Regulation 401 KAR 59:010 New process operations commenced on or after July 2, 1975 applies to the particulate matter (PM/PM₁₀) emissions and visible emissions above affected facilities.

1. **Operating Limitations:** None

2. **Emission Limitations:**

- a. Mass Emission Limit pursuant to 401 KAR 59:010 Section 3(2): Particulate matter emissions from the above shall not exceed: $3.59 \times (\text{Tons Processed})^{0.62}$ lbs/hr for (Tons processed) less than 30 tons per hour, otherwise: $17.31 \times (\text{Tons Processed})^{0.16}$ lbs/hr, averaged over a three hour period.
- b. Opacity Limit Pursuant to 401 KAR 59:010, Section 3(1)(a): visible emissions from the above affect facilities shall not equal or exceed 20% opacity on a 6-minute average basis.

Compliance Demonstration Method:

- a. During periods of normal operation of the fabric filter, no compliance demonstration is necessary.
- b. If any of the emission units associated with a fabric filter are in operation during any period of the malfunction of the fabric filter, the permittee shall determine compliance through maintenance of the records required by Item b. under **5. Specific Recordkeeping Requirements** below.

3. **Testing Requirements:** None

4. **Specific Monitoring Requirements:** For all fabric filters the permittee shall monitor and record the pressure drop across each of the fabric filter systems on a weekly basis.

SECTION B -EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

5. Specific Recordkeeping Requirements:

The permittee shall maintain records of the following information:

- a. Maintain and record a weekly log of the pressure drop across all other fabric filters.
- b. During all periods of malfunction of any of the fabric filters if any of the emission units associated with each station are in operation, a daily (calendar day) log of the following information shall be kept:
 - i. Whether any air emissions were visible.
If visible emissions are observed, the permittee shall record the following information:
 - ii. Whether the visible emissions were normal for the process.
 - iii. The color of the emissions and whether the emissions were light or heavy.
 - iv. The cause of the abnormal visible emissions.
 - v. Any corrective actions taken.
- c. All routine and nonroutine maintenance activities performed on the fabric filters.

6. Specific Reporting Requirements: None

7. Specific Control Equipment Operating Conditions: None

SECTION B -EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

() (EP Q) MANUFACTURING BUILDING

KYEIS #	Description	Control Equipment
	Stucco Day Bin	Bin Vent
	Landplaster Bin	Bin Vent
	Cerelose Bin	Bin Vent
	Sugar Bin	Bin Vent
	Boric Acid Bin	Bin Vent
	Pin Mixer	Bin Vent
	Spare Bin	Bin Vent
	Dry Additives Conveyor	Bin Vent
	Additive Hopper	Bin Vent
	Foaming Agent Tank	None
	Inkjet Printing system	None
	End Trim	Baghouse
	Dunnage	Baghouse

APPLICABLE REGULATIONS:

Regulation 401 KAR 59:010 New process operations commenced on or after July 2, 1975 applies to the particulate matter (PM/PM₁₀) emissions and visible emissions from Pin Mixer, Material Bins, End Trim and Dunnage.

Exclusion: Regulation 401 KAR 59:210 New fabric, vinyl and paper surface coating operations does not apply because printing operations are exempted.

Exclusion: Regulation 401 KAR 59:212 New graphic arts facilities using rotogravure and flexography does not apply because the source is not using rotogravure and flexography printers.

1. Operating Limitations: None

2. Emission Limitations:

- a. Mass Emission Limit pursuant to 401 KAR 59:010 Section 3(2): Particulate matter emissions from the above shall not exceed: $3.59 \times (\text{Tons Processed})^{0.62}$ lbs/hr for (Tons processed) less than 30 tons per hour, otherwise: $17.31 \times (\text{Tons Processed})^{0.16}$ lbs/hr, averaged over a three hour period.
- b. Opacity Limit Pursuant to 401 KAR 59:010, Section 3(1)(a): visible emissions from the above affect facilities shall not equal or exceed 20% opacity on a 6-minute average basis.
Compliance Demonstration Method:
 1. During normal operation of the fabric filter no compliance demonstration is necessary.
 2. If the pin mixer is in operation during any period of malfunction of the fabric filter, the permittee shall determine compliance through maintenance of the records required by Item b. under **5. Specific Recordkeeping Requirements** below.

SECTION B -EMISSION POINTS, EMISSIONS UNITS, APPLICABLE REGULATIONS, AND OPERATING CONDITIONS

3. **Testing Requirements:** None
4. **Specific Monitoring Requirements:** For all fabric filters the permittee shall monitor and record the pressure drop across each of the fabric filter systems on a weekly basis.
5. **Specific Recordkeeping Requirements:**
The permittee shall maintain records of the following information:
 - a. Maintain and record a weekly log of the pressure drop across all the fabric filter.
 - b. During all periods of malfunction of any of the fabric filters if any of the emission units associated with each station are in operation, a daily (calendar day) log of the following information shall be kept:
 - i. Whether any air emissions were visible.
If visible emissions are observed, the permittee shall record the following information:
 - ii. Whether the visible emissions were normal for the process.
 - iii. The color of the emissions and whether the emissions were light or heavy.
 - iv. The cause of the abnormal visible emissions.
 - v. Any corrective actions taken.
 - c. All routine and nonroutine maintenance activities performed on the fabric filters.
 - d. Quantity of all inks and VOC and Foaming Agents used. VOC and HAP content of all inks and foaming agents used.
6. **Specific Reporting Requirements:** None
7. **Specific Control Equipment Operating Conditions:** None

SECTION C - INSIGNIFICANT ACTIVITIES

The following listed activities have been determined to be insignificant activities for this source pursuant to Regulation 401 KAR 50:035, Section 5(4). While these activities are designated as insignificant the permittee must comply with the applicable regulation and some minimal level of periodic monitoring may be necessary.

<u>Description</u>	<u>Generally Applicable Regulation</u>
1. Onsite roads	401 KAR 63:010
2. Wet Gypsum Storage piles	401 KAR 63:010
3. Wet Gypsum Truck unloading	401 KAR 63:010
4. 6 Paper Heaters (0.09 mmbtu/hr)	None
5. Dewatering Boiler (4.6 mmbtu/hr) Natural gas fired Located at the Ghent Power Station.	401 KAR 59:015

SECTION D - SOURCE EMISSION LIMITATIONS AND TESTING REQUIREMENTS

1. The Division of Air Quality has determined that this facility's potential to emit any air pollutant is less than the significant emission rates specified in Regulation 401 KAR 51:017 Prevention of significant deterioration.
2. NO_x, CO, and PM₁₀ emissions, as measured by methods referenced in 401 KAR 50:015, Section 1, shall not exceed the respective limitations specified herein.

SECTION E - SOURCE CONTROL EQUIPMENT REQUIREMENTS

Pursuant to 401 KAR 50:055, Section 2(5), at all times, including periods of startup, shutdown and malfunction, owners and operators shall, to the extent practicable, maintain and operate any emission unit including associated air pollution control equipment in a manner consistent with good air pollution control practice for minimizing emissions. Determination of whether acceptable operating and maintenance procedures are being used will be based on information available to the division which may include, but is not limited to, monitoring results, opacity observations, review of operating and maintenance procedures, and inspection of the source.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS

1. When continuing compliance is demonstrated by periodic testing or instrumental monitoring, the permittee shall compile records of required monitoring information that include:
 - a. Date, place as defined in this permit, and time of sampling or measurements.
 - b. Analyses performance dates;
 - c. Company or entity that performed analyses;
 - d. Analytical techniques or methods used;
 - e. Analyses results; and
 - f. Operating conditions during time of sampling or measurement;
2. Records of all required monitoring data and support information, including calibrations, maintenance records, and original strip chart recordings, and copies of all reports required by the Division for Air Quality, shall be retained by the permittee for a period of five years and shall be made available for inspection upon request by any duly authorized representative of the Division for Air Quality. [401 KAR 50:035, Permits, Section 7(1)(d)2 and 401 KAR 50:035, Permits, Section 7(2)(c)]
3. In accordance with the requirements of Regulation 401 KAR 50:035, Permits, Section 7(2)(c) the permittee shall allow the Cabinet or authorized representatives to perform the following:
 - a. Enter upon the premises where a source is located or emissions-related activity is conducted, or where records are kept;
 - b. Have access to and copy, at reasonable times, any records required by the permit:
 - i. During normal office hours, and
 - ii. During periods of emergency when prompt access to records is essential to proper assessment by the Cabinet;
 - c. Inspect, at reasonable times, any facilities, equipment (including monitoring and pollution control equipment), practices, or operations required by the permit. Reasonable times shall include, but are not limited to the following:
 - i. During all hours of operation at the source,
 - ii. For all sources operated intermittently, during all hours of operation at the source and the hours between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays, and
 - iii. During an emergency; and
 - d. Sample or monitor, at reasonable times, substances or parameters to assure compliance with the permit or any applicable requirements. Reasonable times shall include, but are not limited to the following:
 - i. During all hours of operation at the source,
 - ii. For all sources operated intermittently, during all hours of operation at the source and the hours between 8:00 a.m. and 4:30 p.m., Monday through Friday, excluding holidays, and
 - iii. During an emergency.
4. No person shall obstruct, hamper, or interfere with any Cabinet employee or authorized representative while in the process of carrying out official duties. Refusal of entry or access may constitute grounds for permit revocation and assessment of civil penalties.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

5. Reports of any monitoring required by this permit shall be reported to the division's Florence Regional Office no later than the six-month anniversary date of this permit and every six months thereafter during the life of this permit, unless otherwise stated in this permit. The permittee may shift to semiannual reporting on a calendar year basis upon approval of the regional office. If calendar year reporting is approved, the semiannual reports are due January 30th and July 30th of each year. All reports shall be certified by a responsible official pursuant to Section 6(1) of Regulation 401 KAR 50:035, Permits. All deviations from permit requirements shall be clearly identified in the reports.
6.
 - a. In accordance with the provisions of Regulation 401 KAR 50:055, Section 1 the owner or operator shall notify the Division for Air Quality's Florence Regional Office concerning startups, shutdowns, or malfunctions as follows:
 1. When emissions during any planned shutdowns and ensuing startups will exceed the standards notification shall be made no later than three (3) days before the planned shutdown, or immediately following the decision to shut down, if the shutdown is due to events which could not have been foreseen three (3) days before the shutdown.
 2. When emissions due to malfunctions, unplanned shutdowns and ensuing startups are or may be in excess of the standards notification shall be made as promptly as possible by telephone (or other electronic media) and shall cause written notice upon request.
 - b. In accordance with the provisions of Regulation 401 KAR 50:035, Section 7(1)(e)2, the owner or operator shall promptly report deviations from permit requirements including those attributed to upset conditions (other than emission exceedances covered by general condition 6 a. above) to the Division for Air Quality's Florence Regional Office. (Prompt reporting shall be defined as follows:
For **excursions** not defined elsewhere:
 - i. For short-term (less than or equal to 24-hours in duration) excursions from, or failure to record the parameters used to periodically monitor the performance of control devices (baghouses, etc.), the permittee shall include a summary of the excursions in the semiannual reporting required by Condition **F.5.** above.
 - ii. For longer periods (greater than 24 hours in duration) of excursion or inability to record continuously monitored parameters, the permittee shall contact by phone or fax, the Florence Regional office by 9 a.m. of the next business day.
For **exceedences**:
 - i. For short-term exceedences from a standard (less than or equal to 1-hour in duration), the permittee shall include a summary of the excursions in the semiannual reporting required by Condition **F.5.** above.
 - ii. For longer periods of exceedences (greater than 1-hour in duration), the permittee shall contact the Florence Regional office by 9 a.m. of the next business day.

SECTION F - MONITORING, RECORD KEEPING, AND REPORTING REQUIREMENTS (CONTINUED)

6. For **other requirements**:

In the event that the permittee is unable to fulfill a requirement (such as a performance test, compliance certification submittal) within the time frame specified herein, the permittee shall contact the Florence Regional Office and the Frankfort Central office 72 hours prior to the expiration of the relevant time frame. Extensions of the time frames specified herein may be granted by the division upon a satisfactory request showing that an extension is justified.

7. Pursuant to Regulation 401 KAR 50:035, Permits, Section 7(2)(b), the permittee shall certify compliance with the terms and conditions contained in this permit, annually on the permit issuance anniversary date or by January 30th of each year if calendar year reporting is approved by the regional office, by completing and returning a Compliance Certification Form (DEP 7007CC) (or an approved alternative) to the Division for Air Quality's Florence Regional Office and the U.S. EPA in accordance with the following requirements:
- Identification of each term or condition of the permit that is the basis of the certification;
 - The compliance status regarding each term or condition of the permit;
 - Whether compliance was continuous or intermittent; and
 - The method used for determining the compliance status for the source, currently and over the reporting period, pursuant to 401 KAR 50:035, Section 7(1)(c), (d) and (e).
 - The certification shall be postmarked by the thirtieth (30) day following the applicable permit issuance anniversary date, or by January 30th of each year if calendar year reporting is approved by the regional office. Annual compliance certifications should be mailed to the following addresses:

**Division for Air Quality
Florence Regional Office
8020 Ewing Boulevard, Suite 110
Florence, KY 41042**

**U.S. EPA Region IV
Air Enforcement Branch
Atlanta Federal Center
61 Forsyth St.
Atlanta, GA 30303-8960**

**Division for Air Quality
Central Files
803 Schenkel Lane
Frankfort, KY 40601**

8. In accordance with Regulation 401 KAR 50:035, Section 23, the permittee shall provide the division with all information necessary to determine its subject emissions within thirty (30) days of the date the KEIS emission report is mailed to the permittee.
9. Pursuant to Section VII.3 of the policy manual of the Division for Air Quality as referenced by Regulation 401 KAR 50:016, Section 1(1), results of performance test(s) required by the permit shall be submitted to the division by the source or its representative within forty-five days after the completion of the fieldwork.

SECTION G - GENERAL CONDITIONS

(a) General Compliance Requirements

1. The permittee shall comply with all conditions of this permit. A noncompliance shall be (a) violation(s) of state regulation 401 KAR 50:035, Permits, Section 7(3)(d) and for federally enforceable permits is also a violation of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) and is grounds for enforcement action including but not limited to the termination, revocation and reissuance, or revision of this permit.
2. The filing of a request by the permittee for any permit revision, revocation, reissuance, or termination, or of a notification of a planned change or anticipated noncompliance, shall not stay any permit condition.
3. This permit may be revised, revoked, reopened and reissued, or terminated for cause. The permit will be reopened for cause and revised accordingly under the following circumstances:
 - a. If additional applicable requirements become applicable to the source and the remaining permit term is three (3) years or longer. In this case, the reopening shall be completed no later than eighteen (18) months after promulgation of the applicable requirement. A reopening shall not be required if compliance with the applicable requirement is not required until after the date on which the permit is due to expire, unless this permit or any of its terms and conditions have been extended pursuant to Regulation 401 KAR 50:035, Section 12(2)(c);
 - b. The Cabinet or the U. S. EPA determines that the permit must be revised or revoked to assure compliance with the applicable requirements;
 - c. The Cabinet or the U. S. EPA determines that the permit contains a material mistake or that inaccurate statements were made in establishing the emissions standards or other terms or conditions of the permit;

Proceedings to reopen and reissue a permit shall follow the same procedures as apply to initial permit issuance and shall affected only those parts of the permit for which cause to reopen exists. Reopenings shall be made as expeditiously as practicable. Reopenings shall not be initiated before a notice of intent to reopen is provided to the source by the division, at least thirty (30) days in advance of the date the permit is to be reopened, except that the division may provide a shorter time period in the case of an emergency.

4. The permittee shall furnish to the division, in writing, information that the division may request to determine whether cause exists for modifying, revoking and reissuing, or terminating the permit, or to determine compliance with the permit. [401 KAR 50:035, Permits, Section 7(2)(b)3e and 401 KAR 50:035, Permits, Section 7(3)(j)]
5. The permittee, upon becoming aware that any relevant facts were omitted or incorrect information was submitted in the permit application, shall promptly submit such supplementary facts or corrected information to the permitting authority.
6. Any condition or portion of this permit which becomes suspended or is ruled invalid as a result of any legal or other action shall not invalidate any other portion or condition of this permit. [401 KAR 50:035, Permits, Section 7(3)(k)]

SECTION G - GENERAL CONDITIONS (CONTINUED)

7. The permittee shall not use as a defense in an enforcement action the contention that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance. [401 KAR 50:035, Permits, Section 7(3)(e)]
8. Except as identified as state-origin requirements in this permit, all terms and conditions contained herein shall be enforceable by the United States Environmental Protection Agency and citizens of the United States.
9. This permit shall be subject to suspension if the permittee fails to pay all emissions fees within 90 days after the date of notice as specified in 401 KAR 50:038, Section 3(6). [401 KAR 50:035, Permits, Section 7(3)(h)]
10. Nothing in this permit shall alter or affect the liability of the permittee for any violation of applicable requirements prior to or at the time of permit issuance. [401 KAR 50:035, Permits, Section 8(3)(b)]
11. This permit shall not convey property rights or exclusive privileges. [401 KAR 50:035, Permits, Section 7 (3)(g)]
12. Issuance of this permit does not relieve the permittee from the responsibility of obtaining any other permits, licenses, or approvals required by the Kentucky Cabinet for Natural Resources and Environmental Protection or any other federal, state, or local agency.
13. Nothing in this permit shall alter or affect the authority of U.S. EPA to obtain information pursuant to Federal Statute 42 USC 7414, Inspections, monitoring, and entry. [401 KAR 50:035, Permits, Section 7(2)(b)5]
14. Nothing in this permit shall alter or affect the authority of U.S. EPA to impose emergency orders pursuant to Federal Statute 42 USC 7603, Emergency orders. [401 KAR 50:035, Permits, Section 8(3)(a)]
- 15 **Permit Shield:** Except as provided in State Regulation 401 KAR 50:035, Permits, compliance by the emission units listed herein with the conditions of this permit shall be deemed to be compliance with all applicable requirements identified in this permit as of the date of issuance of this permit.

(b) **Permit Expiration and Reapplication Requirements**

This permit shall remain in effect for a fixed term of five (5) years following the original date of issue. Permit expiration shall terminate the source's right to operate unless a timely and complete renewal application has been submitted to the division at least six months prior to the expiration date of the permit. Upon a timely and complete submittal, the authorization to operate within the terms and conditions of this permit, including any permit shield, shall remain in effect beyond the expiration date, until the renewal permit is issued or denied by the division. [401 KAR 50:035, Permits, Section 12]

SECTION G - GENERAL CONDITIONS (CONTINUED)

(c) Permit Revisions

1. A minor permit revision procedure may be used for permit revisions involving the use of economic incentive, marketable permit, emission trading, and other similar approaches, to the extent that these minor permit revision procedures are explicitly provided for in the SIP or in applicable requirements and meet the relevant requirements of Regulation 401 KAR 50:035, Section 15.
2. This permit is not transferable by the permittee. Future owners and operators shall obtain a new permit from the Division for Air Quality. The new permit may be processed as an administrative amendment if no other change in this permit is necessary, and provided that a written agreement containing a specific date for transfer of permit responsibility coverage and liability between the current and new permittee has been submitted to the permitting authority thirty (30) days in advance of the transfer.

(d) Construction, Start-Up, and Initial Compliance Demonstration Requirements

1. Construction of process and/or air pollution control equipment authorized by this permit shall be conducted and completed only in compliance with the conditions of this permit.
2. Within thirty (30) days following commencement of construction, and within fifteen (15) days following start-up, and attainment of the maximum production rate specified in the permit application, or within fifteen (15) days following the issuance date of this permit, whichever is later, the permittee shall furnish to the Division for Air Quality's Florence Regional Office in writing, with a copy to the division's Frankfort Central Office, notification of the following:
 - a. The date when construction commenced.
 - b. The date of start-up of the affected facilities listed in this permit.
 - c. The date when the maximum production rate specified in the permit application was achieved.
3. Pursuant to State Regulation 401 KAR 50:035, Permits, Section 13(1), unless construction is commenced on or before 18 months after the date of issue of this permit, or if construction is commenced and then stopped for any consecutive period of 18 months or more, or if construction is not completed within eighteen (18) months of the scheduled completion date, then the construction and operating authority granted by this permit for those affected facilities for which construction was not completed shall immediately become invalid. Extensions of the time periods specified herein may be granted by the division upon a satisfactory request showing that an extension is justified.
4. Operation of the affected facilities for which construction is authorized by this permit shall not commence until compliance with the applicable standards specified herein has been demonstrated pursuant to 401 KAR 50:055, except as provided in Section I of this permit.

SECTION G - GENERAL CONDITIONS (CONTINUED)

5. This permit shall allow time for the initial start-up, operation, and compliance demonstration of the affected facilities listed herein. However, within sixty (60) days after achieving the maximum production rate at which the affected facilities will be operated but not later than 180 days after initial start-up of such facilities, the permittee shall conduct a performance test on the affected facilities in accordance with Regulation 401 KAR 50:055, General compliance requirements. These performance tests must also be conducted in accordance with General Conditions G(d)6 of this permit and the permittee must furnish to the Division for Air Quality's Frankfort Central Office a written report of the results of such performance tests.
6. Pursuant to Section VII 2.(1) of the policy manual of the Division for Air Quality as referenced by Regulation 401 KAR 50:016, Section 1.(1), at least one month prior to the date of the required performance test, the permittee shall complete and return a Compliance Test Protocol (Form DEP 6027) to the division's Frankfort Central Office. Pursuant to 401 KAR 50:045, Section 5, the division shall be notified of the actual test date at least ten (10) days prior to the test.

(e) Acid Rain Program Requirements

If an applicable requirement of Federal Statute 42 USC 7401 through 7671q (the Clean Air Act) is more stringent than an applicable requirement promulgated pursuant to Federal Statute 42 USC 7651 through 7651o (Title IV of the Act), both provisions shall apply, and both shall be state and federally enforceable.

(f) Emergency Provisions

1. An emergency shall constitute an affirmative defense to an action brought for noncompliance with the technology-based emission limitations if the permittee demonstrates through properly signed contemporaneous operating logs or other relevant evidence that:
 - a. An emergency occurred and the permittee can identify the cause of the emergency;
 - b. The permitted facility was at the time being properly operated;
 - c. During an emergency, the permittee took all reasonable steps to minimize levels of emissions that exceeded the emissions standards or other requirements in the permit; and,
 - d. The permittee notified the division as promptly as possible and submitted written notice of the emergency to the division within two working days after the time when emission limitations were exceeded due to the emergency. The notice shall meet the requirements of 401 KAR 50:035, Permits, Section 7(1)(e)2, and include a description of the emergency, steps taken to mitigate emissions, and the corrective actions taken. This requirement does not relieve the source of any other local, state or federal notification requirements.
2. Emergency conditions listed in General Condition (f)1 above are in addition to any emergency or upset provision(s) contained in an applicable requirement.
3. In an enforcement proceeding, the permittee seeking to establish the occurrence of an emergency shall have the burden of proof. [401 KAR 50:035, Permits, Section 9(3)]

SECTION G - GENERAL CONDITIONS (CONTINUED)

(g) Risk Management Provisions

1. The permittee shall comply with all applicable requirements of 40 CFR Part 68, Risk Management Plan provisions. If required, the permittee shall comply with the Risk Management Program and submit a Risk Management Plan to:
RMP Reporting Center
P.O. Box 3346
Merrifield, VA, 22116-3346
2. If requested, submit additional relevant information by the division or the U.S. EPA.

(h) Ozone depleting substances

1. The permittee shall comply with the standards for recycling and emissions reduction pursuant to 40 CFR 82, Subpart F, except as provided for Motor Vehicle Air Conditioners (MVACs) in Subpart B:
 - a. Persons opening appliances for maintenance, service, repair, or disposal shall comply with the required practices contained in 40 CFR 82.156.
 - b. Equipment used during the maintenance, service, repair, or disposal of appliances shall comply with the standards for recycling and recovery equipment contained in 40 CFR 82.158.
 - c. Persons performing maintenance, service, repair, or disposal of appliances shall be certified by an approved technician certification program pursuant to 40 CFR 82.161.
 - d. Persons disposing of small appliances, MVACs, and MVAC-like appliances (as defined at 40 CFR 82.152) shall comply with the recordkeeping requirements pursuant to 40 CFR 82.166.
 - e. Persons owning commercial or industrial process refrigeration equipment shall comply with the leak repair requirements pursuant to 40 CFR 82.156.
 - f. Owners/operators of appliances normally containing 50 or more pounds of refrigerant shall keep records of refrigerant purchased and added to such appliances pursuant to 40 CFR 82.166.
2. If the permittee performs service on motor (fleet) vehicle air conditioners containing ozone-depleting substances, the source shall comply with all applicable requirements as specified in 40 CFR 82, Subpart B, Servicing of Motor Vehicle Air Conditioners.